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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
NGUYEN, VAN H	
ART UNIT	PAPER NUMBER
2194	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/806,694	AZVINE ET AL.	
	Examiner	Art Unit	
	VAN H. NGUYEN	2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 May 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-10,12,16-18 and 20-29* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-10,12,16-18 and 20-29* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This communication is responsive to the amendment filed 05/19/2008.

Claims 1, 3-10, 12, 16-18, and 20-29 are currently pending in this application.

Descriptive Title Required

The title of the invention is not descriptive. The title should be as "specific as possible" 37 CFR 1.72 while not exceeding "500 characters in length". The title should provide "informative value" and serve to aid in the "indexing, classifying, searching" and other Official identification functions. A new title is required that is clearly indicative of the invention to which the claims are directed. MPEP606.01

Claim Objections

2. Claims 4-9, 18, and 21-29 are objected to because of the following minor informalities:

As to Claims 4, 5, and 7:

The claims should start with "The computer system" since they are referring to "A computer system" of independent claim 3.

As to Claims 6, 9, and 21-29:

The claims should start with "The computer system" since they are referring to "A computer system" of independent claim 1.

As to Claim 8:

"the a computer system" (line 3) should read "the computer system".

As to Claim 18:

The claim should start with "The method" since they are referring to "A method" of independent claim 17.

Claim Rejections - 35 USC § 103

3 The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1, 3-10, 12, 16-18, and 20-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over **BENDECK** et al *"Coordinating Management Activities in Distributed Software Development Projects"* in view of **SCULLY** (U.S. Patent 4,819,191) and **CHACO** (U.S. Patent 6,009,333).

As to claim 1:

BENDECK teaches a computer system comprising an apparatus (architecture) for controlling the communication loads placed upon a human user (agent / engineer / user)

using the computer system, the computer system comprising a plurality of information management systems, each of the information management systems (computers / tools / resources belonging to the agent / engineer / user who performs the scheduled task) being operable to assist and communicate with the human user, the apparatus comprising:

- receiving means for receiving at least one input (scheduled process / plan) from a human user, representative of at least one task of a first type to be performed, by the information management system and for receiving information (notification) resulting from the performance of the at least one task of the first type from the information management system (see pp.2-3);
- generating means for generating a task of a second type (notification message generated via the Notification System) for communicating the received information to the human user (p. 2, Notification system & Dependency and change management, "To coordinate management activities and to inform other managers and technical agents about changes, a sophisticated notification system, as well as to-do lists for both management and technical roles, must be provided by the SEE...local changes to project information must be propagated in order to identify all project information effected by the change...");
- scheduling means for: receiving a user workload input representative of user workload identifying the human user's current and future activities (via the Kernel Component that has a Resource Repository to maintain and reevaluate a plan) (p. 4, The Kernel Component, "The Kernel Component maintains the plan and schedule as well as the project's execution state. It tracks dependencies between

planning, scheduling and execution activities, And implements a notification system that keeps the concerned agents up to date on changes…the Resource Repository provides a complex resource system that represents roles, properties and skills of agents, as well as their Workload. The Project Plan Management handles the project plan and schedule..."); and scheduling an execution time for the at least one task of a second type for communicating the received information to the human user (via the Notification system notify the user of execution state / results of the task / process scheduled to the user / agent / engineer); wherein, the input received by the receiving means comprises a change to a previously received input such that the scheduling means is operable to change the execution time associated with the previously received input (via rescheduling / replanning the task during enactment) (p. 2, Replanning and rescheduling support during enactment, "Changes to the plan and/or schedule might become necessary during enactment. Replanning and rescheduling should be supported by notifying all team members concerned by the change.; p. 3, Scenario from the Perspective of a Project Manager, "An agent has to finish a process by a given deadline. The system has already sent a message to the agent to remind him/her of this process. If the process has not been finished by the assigned end time, the Project Manager receives a corresponding notification from the system ....Depending on the reason for the delay, the PM will have to take corrective actions. For example, if the agent has to perform other process with higher priority, his / her workload has to be reduced and the process rescheduled for a later time. If other processes depend

> on the delayed process' output, the delay must be propagated to subsequent processes which will result in a correction of their start and end times...The Project Manager gets a notification that an agent is on sick leave. He/she needs to be assigned a new agent for the process... Based on this information the Project Manager will change the schedule, which will trigger a message to the selected agent."; p. 5, (2) Scheduling support, "...allows the Project Manager (and if necessary, technical agents) to assign processes to agent and determine start and end times for them. The Dependency Management tracks the dependencies between these scheduling decisions and other activities during project planning and execution, and notifies all concerned agents in case of occurring changes.").

However, BENDECK does not teach the rescheduling of previous input thereby rescheduling the execution time of a task of the second type.

SCULLY teaches a system for scheduling a calendar event wherein when the event is scheduled a task of a second type for communicating the received information to the human user (notification task) is scheduled for an execution time (trigger time) (abstract) such that when the input comprises a change to a previously received input (calendar event is moved or canceled), the scheduling means for operable to change the execution time associated with the previously received input, thereby rescheduling communication of the information associated with the previously received input (automatically rescheduling the trigger time for executing the trigger function) (col. 26, lines 4-12).

It would be obvious to one of ordinary skill in the art that the calendar event is the scheduling the performance of a task on the calendar of an engineer / agent. Therefore, it would be obvious to combine the teachings of BENDECK with the teachings of SCULLY in order to automatically establish the correct time for the trigger to be activated from the data entered and the calendar system (col.4, lines 47-54).

CHACO teaches a scheduling system wherein the in response to a scheduled meeting time being attained, accessing the user schedule information of a first user and selectively accessing the locator system to retrieve the location information of the user and at an appropriate time, the user schedule information triggers the locator system and the system to locate and call the first user to provide a scheduled notification message (col. 9, lines 40-60; col. 10, lines 7-20; col. 11, lines 41-52; col. 12, lines 5-20). Thereby the combination of BENDECK, SCULLY and CHACO teaches that the notification is scheduled based on the users current and future activities since the schedule is considered in determining where, and if to send the notification. Therefore, it would be obvious to one of ordinary skill in the art to combine the teachings of BENDECK with the teachings of SCULLY and CHACO in order to facilitate scheduling notification messages for user's schedules.

As to claim 16:

Refer to the discussion of claim 1 above for rejection.

As to claims 17 and 18:

Refer to the discussion of claim 1 above for rejection.

As to claim 20:

Refer to the discussion of claim 1 above for rejection.

As to claims 3-5 and 7:

Refer to the discussion of claim 1 above. Claim 3 further details wherein the apparatus further includes a world model wherein the model comprises at least one parameter associated with each input, and is accessible to the scheduling means wherein the parameter includes at least one of a start time of each task, a deadline time of each task, a duration of the task and / or interruption status of the human user wherein the interruption status is specified by an entity for allowing or not allowing interruptions to the human user. CHACO teaches at least one parameter (interruption status) associated with each input (scheduled meeting), and is accessible to the scheduling means wherein the interruption status is specified by an entity for allowing or not allowing interruptions to the human user (col. 10, lines 31-45; col. 12, lines 5-29). The scheduling means uses the locator system to determining the interruption status, therefore the locator system, which indicates the locations of the user based on its calendar that the location information / locator system is the world model.

As to claim 6:

CHACO teaches means for storing human user preference information (via whether a user wants to be disturbed or not), which user preference information includes preferred actions (disturbing the user thereby receiving notifications or not disturbing the user thereby not receiving notifications) of the human user relating to task information (via sending / not sending notifications based on the input of the user that is accessed by the scheduling means to send the notification) (col. 10, lines 31-45; col. 12, lines 5-29).

As to claim 8:

Refer to the discussion of claim 1 above. Claim 8 further details a means operable to concurrently execute a plurality of processes. BENDECK teaches performing the operation of replanning and rescheduling during the execution phase (p. 5, (5) Replanning and rescheduling support during enactment ...."). Since the Project Plan management handles the project planning and scheduling and the workflow engine handles the project trace, and management the project execution, these components, e.g. processes, are concurrently executing.

As to claim 9:

CHACO teaches the information management system include a telephone assistant (abstract).

As to claim 10:

Refer to the discussion of claim 1 above. Claim 10, further details means responsive to an input signal indicative of a state of mind of a human user, wherein the scheduling means is further arranged to schedule an execution time for a task in dependence on the received input. BENDECK teaches means responsive to an input signal indicative of a state of mind of a human user, wherein the scheduling means is further arranged to schedule an execution time for a task in dependence on the received input (p. 3, Scenario from the Perspective of a Project Manager, "An agent has to finish a process by a given deadline. The system has already sent a message to the agent to remind him/her of this process. If the process has not been finished... Depending on the reason for the delay, the PM will have to take corrective actions. For example, if the agent has to perform other process with higher priority his/her workload has to be reduced and the process rescheduled for a later time.").

As to claim 12:

Refer to the discussion of claim 1 above. Claim 12 further details wherein the receiving means (i) is further operable to receive the input indicative of an interruption status for the user. CHACO teaches the receiving the input indicative of an interruption status for the user (via the user designating a DO-NOT-DISTURB and / or RING-WHEN ALONE) (col. 10, lines 31-45; col. 12, lines 5-29).

As to claims 21-23 and 25:

Refer to claims 3-5 and 7 above for rejection.

As to claim 24:

Refer to claim 6 above for rejection.

As to claims 26 and 27:

Refer to claims 8 and 9 above for rejection.

As to claims 28 and 29:

Refer to claims 10 and 12 above for rejection.

Response to Arguments

4. Applicant's arguments filed 05/19/2008 have been fully considered but they are not persuasive.

Applicant simply points out what are cited in each of the claims and asserts that the references do not meet the claimed limitations (see the remarks, pp. 17-20).

In the Office Action, the examiner mapped each claimed limitation to specific element(s) and/or relevant passages in the references to show how the references meet the claim limitations. Applicant in response did not provide any underlying analysis as to why the portions of the prior art relied on did not support the examiner's position.

This response by Applicant is insufficient to satisfy the requirement of specific argument to have the claims considered for patentability; in accordance with 37 C.F.R. § 1.111 Applicant must distinctly and specifically point out "how the language of the claims patentably distinguishes them from the references". Accordingly, a prima facie case of obviousness is maintained as set forth in the rejections above.

During patent examination, the pending claims must be "given their broadest reasonable interpretation consistent with the specification." In re Hyatt 21 1 F.3d 1367, 1372, 54 USPQ2d 1664, 1667 (Fed. Cir. 2000). Applicant always has the opportunity to amend the claims during prosecution, and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-51 (CCPA 1969). See also In re Zletz, 893 F.2d 319, 321-22, 13 USPQ2d 1320, 1322 (1989) "During patent examination the pending claims must be interpreted as broadly as their terms reasonably allow.... The reason is simply that during patent prosecution when claims can be amended, ambiguities should be recognized, scope and breadth of language explored, and clarification imposed.... An essential purpose of patent examination is to fashion claims that are precise, clear, correct, and unambiguous. Only in this way can uncertainties of claim scope be removed, as much as possible, during the administrative process."

Applicant should set forth claims in language that clearly, distinctly, unambiguously, and uniquely define the invention.

Conclusion

5. The prior art made of record, see PTO 892, and not relied upon is considered pertinent to applicant's disclosure. Applicant should review these references carefully before responding to this office action.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

6. Any inquiry or a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: (571) 272-2100.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Van H. Nguyen whose telephone number is (571) 272-3765. The examiner can normally be reached on Monday-Thursday from 8:30AM-6:00PM. The examiner can also be reached on alternative Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached at (571) 272-3756.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/VAN H NGUYEN/
Primary Examiner, Art Unit 2194